

Thomas F. Gallagher (Cal. State Bar No. 246856)
Troy B. Krich (Cal. State Bar No. 262566)
GALLAGHER KRICH, APC
3033 Fifth Avenue, Suite 222
San Diego, California 92103
Tel: (858) 926-5797
Fax: (858) 435-4369
Attorneys for Defendants
FIREBAUGH TIRE, LLC, LEO MARIN, and CESAR MARIN

ROBERT J. ROMERO (SBN 136539)
rromero@hinshawlaw.com
ROBERT G. LEVY (SBN 81024)
rlevy@hinshawlaw.com
HINSHAW & CULBERTSON LLP
50 California Street, Suite 2900
San Francisco, CA 94111
Telephone: 415-362-6000
Facsimile: 415-834-9070
Attorneys for Plaintiff

ACCEPTANCE CASUALTY INSURANCE COMPANY

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

ACCEPTANCE CASUALTY INSURANCE
COMPANY, A NEBRASKA
CORPORATION,

PLAINTIFF,

v.

FIREBAUGH TIRE, LLC, a California
company and as successor-in-interest to the
general partnership FIREBAUGH TIRE;
CESAR MARIN dba FIREBAUGH TIRE, an
individual; LEO MARIN dba FIREBAUGH
TIRE, an individual; MARIA GUTIERREZ,
individually and as successor-in-interest to
Omar Gutierrez, deceased; VICTOR
ARREAOLA, an individual and DOES 1-50,
inclusive,

Defendant.

Case No. 1:23-cv-00275-NODJ-SKO

**STIPULATION EXTENDING
DEFENDANTS FIREBAUGH TIRE,
LLC, LEO MARIN, AND CESAR
MARIN DEADLINE TO RESPOND TO
PLAINTIFF'S COMPLAINT**

(Doc. 26)

Plaintiff Acceptance Casualty Insurance Company ("Plaintiff") and Defendants Firebaugh

1 Tire, LLC, Leo Marin and Cesar Marin (“Defendants”) (collectively “the Parties”), through their
2 counsel of record stipulate as follows:

3 **RECITALS**

4 1. Plaintiff filed the Complaint initiating this action on November 06, 2023.

5 2. Defendants executed a Waiver of Service of Summons on January 18, 2024. As a
6 result deadline to respond to the Complaint was February 20, 2024, pursuant to Rule 12 of the FRCP.

7 3. Defendants have asked for additional time to respond to the Complaint. Plaintiff is
8 agreeable to the extension.

9 4. This is the Parties' first request for an extension of the foregoing deadline. The
10 extension will not affect any other scheduled deadlines. The Parties do not anticipate the need for a
11 further extension.

12 **STIPULATION**

13 The Parties hereby stipulate that Firebaugh Tire, LLC, Leo Marin and Cesar Marin’s
14 deadline to file a responsive pleading to Plaintiff’s Complaint is extended from February 20, 2024,
15 to March 11, 2024.

16
17 Dated: February 27, 2024

GALLAGHER KRICH, APC
By: /s/ Troy Krich
THOMAS F. GALLAGHER
TROY B. KRICH
Attorneys for Defendants
FIREBAUGH TIRE, LLC, LEO MARIN, and
CESAR MARIN

21 Dated: February 27, 2024

HINSHAW & CULBERTSON LLP
By: /s/ Robert Levy
HINSHAW & CULBERTSON LLP
ROBERT J. ROMERO
ROBERT G. LEVY
Attorneys for Plaintiff
ACCEPTANCE CASUALTY INSURANCE
COMPANY

SIGNATURE ATTESTATION

I hereby attest that I have obtained the concurrence of Robert Levy, counsel for Plaintiff,
for the filing of this stipulation.

/s/ Troy Krich_____

TROY B. KRICH

ORDER

The Court having reviewed the foregoing Stipulation (Doc. 26), and good cause appearing,
IT IS HEREBY ORDERED that Defendants Firebaugh Tire, LLC, Leo Marin and Cesar Marin are
granted an extension of time to file their Answer to Plaintiffs' Complaint, up to and including, March
11, 2024.

IT IS SO ORDERED.

Dated: **March 6, 2024**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE